

**Maine Revised Statutes**  
**Title 20-A: EDUCATION**  
**Chapter 5: STATE BOARD OF EDUCATION**

**§405. POWERS AND DUTIES**

The state board shall have the following powers and duties. [1981, c. 693, §§5, 8 (NEW).]

**1. General authority.** The state board shall have only the powers specifically stated in this Title.

[ 1981, c. 693, §§5, 8 (NEW) .]

**2. Advisory role.** The state board shall advise the commissioner concerning matters contained in this Title.

[ 1981, c. 693, §§5, 8 (NEW) .]

**3. Specific duties.** The state board shall have the following specific powers and perform the following duties:

A. Make recommendations to the Legislature for the efficient conduct of the public schools; [1981, c. 693, §§5, 8 (NEW).]

B. Approve the formation of school administrative districts; [1981, c. 693, §§5, 8 (NEW).]

C. [1985, c. 497, §3 (RP).]

D. Review, when necessary, decisions made by the commissioner on applications for additions to, dissolution of, transfers among, withdrawals from and closing of schools in school administrative districts and community school districts; [1987, c. 395, Pt. A, §50 (AMD).]

E. Adopt or amend rules on requirements for approval and accreditation of elementary and secondary schools; [1981, c. 693, §§5, 8 (NEW).]

F. Establish standards for the certification of teachers; [1981, c. 693, §§5, 8 (NEW).]

G. Adjust the subsidy to a school administrative unit when the expenditures for education in the unit show evidence of manipulation to gain an unfair advantage or are adjudged excessive; [1981, c. 693, §§5, 8 (NEW).]

H. Act on articles of agreement for creation of an interstate school district; [1981, c. 693, §§5, 8 (NEW).]

I. Develop and adopt a plan for the establishment of career and technical education centers and regions and act upon applications to alter the delivery of career and technical education within career and technical education regions and center areas; [2003, c. 2, §32 (COR).]

J. Adopt or amend rules on standards for school construction; [1981, c. 693, §§5, 8 (NEW).]

K. Approve projects for state construction aid; [1981, c. 693, §§5, 8 (NEW).]

L. Approve the formation of community school districts; [1981, c. 693, §§5, 8 (NEW).]

M. Approve isolated secondary schools; [1981, c. 693, §§5, 8 (NEW).]

N. Obtain information regarding applications for granting degrees and make a recommendation to the Legislature; [1981, c. 693, §§5, 8 (NEW).]

O. Recommend funds to the Bureau of the Budget for equalization of educational opportunity; [1993, c. 290, §1 (AMD).]

P. [1989, c. 698, §76 (AFF); 1989, c. 698, §12 (RP).]

Q. Serve as state agency for administering federal funds for construction of school facilities and for career and technical education; [2003, c. 2, §33 (COR).]

R. [1985, c. 797, §11 (RP).]

S. Develop long-range education goals and standards for school performance and student performance to improve learning results as established in section 6209 and recommend to the commissioner and to the Legislature a plan for achieving those goals and standards; [2001, c. 454, §6 (AMD).]

T. Establish and maintain a 5-year plan for education that includes goals and policies for the education of children who are 4 years of age in public preschool programs and children in kindergarten and grades one to 12 and that promotes services for public preschool children. The plan must incorporate and build upon the work of the Task Force on Learning Results established in Public Law 1993, chapter 290 and the federal GOALS 2000: Educate America Act; [2013, c. 581, §1 (AMD).]

U. Review the organization of school administrative units statewide to identify current cooperative agreements between school administrative units. Cooperative agreements may include, but are not limited to: purchasing or contract agreements; administrative functions; shared staff and staff training; and technology initiatives. Based on the review, and in consultation with the department, the state board may recommend that school administrative units develop and carry out a plan for a cooperative agreement with one or more other school administrative units. "Cooperative agreement" may include agreements between school administrative units and career and technical education regions and career and technical education centers; and [2005, c. 611, §1 (AMD).]

V. Study school administrative unit configuration statewide. [2005, c. 611, §2 (AMD).]

[ 2013, c. 581, §1 (AMD) .]

#### **4. Review of department decisions.**

[ 1987, c. 395, Pt. A, §51 (RP) .]

#### **5. Overseeing school administrative districts.**

[ 1987, c. 395, Pt. A, §52 (RP) .]

**6. Recommendations to Legislature.** The state board shall recommend to the Legislature any new legislation or amendments to existing legislation for the efficient conduct of the public schools and for achieving the education and performance goals and standards and the plan for the public schools developed in accordance with subsection 3, paragraph S.

[ 1993, c. 290, §4 (AMD) .]

**7. Federal career and technical education aid.** The state board shall administer any federal funds received for the benefit of career and technical education programs in the State. As the designated state agency authorized to administer federal funds, the board shall develop a state plan, approve the State's application for career and technical education funds and disburse federal money as authorized and required by applicable federal law.

[ 1993, c. 349, §44 (AMD); 2003, c. 545, §4 (REV) .]

**8. Maine Merchant Marine Day.** Maine Merchant Marine Day is May 22nd as established in Title 1, section 127.

[ 1987, c. 140, §2 (NEW) .]

**9. Contract for services.** The state board may contract for any necessary consultative services or support staff.

[ 1987, c. 851, §7 (NEW) . ]

**10. Comprehensive school budget approval procedure.** The state board shall develop a model comprehensive school budget approval procedure and, working in conjunction with the department, strongly encourage school administrative units to adopt and implement the model as local school board policy. The model procedure must be designed to provide early and continuous collaboration between school officials and municipal officials and to encourage frequent opportunity for public comment in the development of each unit's annual budget.

[ 1999, c. 710, §1 (NEW) . ]

#### SECTION HISTORY

1981, c. 693, §§5,8 (NEW). 1983, c. 806, §7 (AMD). 1985, c. 497, §3 (AMD). 1985, c. 785, §B79 (AMD). 1985, c. 797, §§10-12 (AMD). 1987, c. 140, §2 (AMD). 1987, c. 395, §§A50-A52 (AMD). 1987, c. 851, §7 (AMD). 1989, c. 698, §§11,12 (AMD). 1993, c. 290, §§1-4 (AMD). 1993, c. 349, §44 (AMD). 1995, c. 395, §§J2-4 (AMD). 1999, c. 710, §1 (AMD). 2001, c. 454, §6 (AMD). RR 2003, c. 2, §§32,33 (COR). 2003, c. 545, §§4,5 (REV). 2005, c. 611, §§1,2 (AMD). 2013, c. 581, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 126th Maine Legislature and is current through August 1, 2014. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.